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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/616,821	07/14/2000	William Carl Slemmer	93-C-007C2RE(1678-28)	6212
30431	7590	02/22/2005	EXAMINER	
STMICROELECTRONICS, INC. MAIL STATION 2346 1310 ELECTRONICS DRIVE CARROLLTON, TX 75006			CUNNINGHAM, TERRY D	
			ART UNIT	PAPER NUMBER
			2816	

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/616821

EXAMINER

ART UNIT	PAPER
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02162005

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Commissioner for Patents

See Attachment

NOTICE ON NON-RESPONSIVE AMENDMENT

The reply filed on 04 February 2005 is not fully responsive to the prior Office Action.

With regard to the original, Applicant's statement the such will be surrendered "[u]pon indication by the Examiner that the present reissue declaration is satisfactory" is not seen to be responsive to the requirement.

With respect to the outstanding rejection concerning the defective Oath, Applicant merely responds by stating that the Oath of record includes the statement that "All errors corrected in this reissue application arose without any deceptive intention on my Part" and that "Upon indication by the Examiner that the present reissue declaration is satisfactory... an executed reissue declaration submitted". If effect, it is seen that Applicant is merely posing the question as to whether the language of the Oath of Record would be sufficient if re-executed. Since Applicant has not provided a newly executed Oath, it is not seen that this rejection has been responded to.

Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Response to Remarks

With respect to Applicant's remarks, Examiner agrees that the Oath of record includes the phrase "All errors corrected in this reissue application arose without any deceptive intention on my Part". However, the Oath was executed on 9 October 2000. Since this date is prior to all corrective actions taken in the case, such is not sufficient to overcome the outstanding rejection. The Oath should be re-executed such that all correction actions taken in this Re-issue Application are encompassed thereby.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terry Cunningham whose telephone number is 571-272-1742. The examiner can normally be reached on Monday-Thursday from 7:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TC
February 16, 2005


Terry D. Cunningham
Primary Examiner
Art Unit 2816